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January 16, 2003

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TN REGULATORY AUTHORITY  
DOCKET ROOM

Sara Kyle, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

VIA FACSIMILE: (615) 741-8953

Re: **PETITION FOR EMERGENCY RELIEF**

03-00038 (KJT)

Dear Ms. Kyle:

Momentum Business Solutions, Inc. ("Momentum") a CLEC operating in Tennessee is hereby petitioning the TRA to provide emergency relief to Momentum. Effective today, BellSouth has cutoff Momentum's access to the LENS system. Without such access, Momentum is unable to service any customers in Tennessee (or in the entire southeast). Further, BellSouth is threatening to disconnect service to Momentum's end users in Tennessee.

BellSouth claims that it has disconnected Momentum's access for non-payment of a BellSouth bill.

Momentum has paid 100% of undisputed bills, and has filed good faith disputes in accordance with the Interconnection Agreement regarding 100% of the disputed portion of the BellSouth bill.

BellSouth has breached the Interconnection Agreement in numerous ways, including, but not limited to, the following:

1. BellSouth does not have the right in the Interconnection Agreement to disconnect our access to Lens;
2. BellSouth has failed to provide any notice to Momentum prior to cutting off access to Lens;
3. BellSouth failed to endeavor to resolve billing disputes with Momentum in any manner;
4. BellSouth failed to forward unresolved billing disputes through the dispute resolution process as per the Interconnection Agreement.

We believe BellSouth's action is arbitrary and done in bad faith. Without any warning or any justification, BellSouth has breached the Interconnection Agreement, leaving Momentum without the ability to service our customers and threatening to cut off dial tone to thousands of Tennessee consumers.

We appreciate the TRA scheduling this matter for a hearing immediately.

Sincerely,



David M. Benck

Vice President, Legal and Regulatory

Cc: Eddie Roberson-Chief, Consumer Services Division  
Richard Collier, General Counsel  
Henry Walker